

SEAL

Notice of Second Amendment
to Declaration of Pine Pointe Sub #1 & 2

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Notice of Second Amendment to Declaration of Pine Pointe Subdivision Nos. 1 & 2

WHEREAS, Pine Pointe Subdivision Nos. 1 and 2, is a Macomb County Subdivision with the subdivision plat recorded in Liber 133, Pages 12 through 19, Macomb County Records, and according to the Declaration of Easements, Covenants, Conditions and Restrictions recorded on March 1, 1999 in Liber 8658, Page 856 et seq., as amended by a First Amendment recorded on August 8, 1999 in Liber 9059, Page 463, et seq., Macomb County Records; and

WHEREAS, the Board of Directors of the Pine Pointe Subdivision Association is the duly created administrator of the affairs of Pine Pointe Subdivision; State of Michigan Articles of Incorporation being CID #750-105; and Article II, Section 1 of the recorded Declaration of Easements, Covenants, Conditions and Restrictions.

WHEREAS, pursuant to a December 20, 2012 Macomb County Court Order attached, as recorded in Liber 22096, Pages 852 et seq., Macomb County Records on May 14, 2013, the Declaration is amended as follows:

Sheds must be within Macomb Township ordinances, maintained, no rust or peeling paint, must have a rat wall, and must be on a foundation. Nothing shall be placed, stored or leaned up against the outside of the shed at anytime. Any shed not in compliance with the Township Ordinance, Declaration or any of the requirements and restrictions listed herein, must be removed at the owners' expense.

PINE POINTE SUBDIVISION ASSOCIATION
Michigan Nonprofit Corporation

BY: Scott Meyer
Scott Meyer
Its: President

STATE OF MICHIGAN)
) SS:
COUNTY OF MACOMB)

On this 27 day of May, 2013, the attached Resolution was acknowledged and executed before me, by Scott Meyer, as President of Pine Pointe Subdivision Association, a Michigan Nonprofit Corporation, on behalf of the Association, pursuant to the requisite approval of the Board of Directors.

Sandra L. Hughes
Notary Public
Macomb County, Michigan
My Commission Expires: 1-25-2014
Acting in Macomb County.

Drafted by and when
Recorded return to:
SCHLOTTMAN & WAGNER, P.C.
Judi M. Schlottman (P35479)
43642 Elizabeth
Clinton Township, MI 48036
(586) 465-1330

SANDRA L. HUGHES
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Jan 25, 2014
ACTING IN COUNTY OF Macomb

RECD MACOMB CO 713 MAY 14 2013

STATE OF MICHIGAN JUDICIAL DISTRICT 16 TH JUDICIAL CIRCUIT COUNTY PROBATE	CERTIFICATION OF RECORDS ATTESTATION OF EXEMPLIFIED COPIES	CASE NO. 2012-004787-CZ
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Court address
40 North Main, Mount Clemens, MI 48043

Court telephone no.
586-469-5351

PINE POINTE SUBDIVISION ASSOCIATION vs. MITCHEL HAMPTON et al	
Juvenile In the matter of	
Probate In the matter of	

ATTESTATION OF CLERK/REGISTER

I am the clerk/register of the court and I attest that:

1. I am the custodian of the records of the 16th Circuit Court.

2. I have compared the annexed copies of:

ORDER OF JUDGMENT OF DISMISSAL DATED DECEMBER 20, 2012

from the above case with the originals on file and of record in this court, and I find the copies to be true copies of the whole of such originals.

April 9, 2013

Date



Clerk/Register

Carmella Sabaugh
Name(type or print)

By:


Deputy Clerk/Register

(SEAL)

3068740 PAGE 1 OF 3
 LIBER 22096 PAGE 852
 05/14/2013 10:50:37 A.M.
 MACOMB COUNTY, MI SEAL
 CARMELLA SABAUGH, REGISTER OF DEEDS

STATE OF MICHIGAN COUNTY OF MACOMB CIRCUIT COURT	ORDER	Case No. C 12-4787-CZ
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PINE POINTE SUBDIVISION ASSOCIATION Plaintiff(s)

vs

MITCHEL HAMPTON, ERIC HALL, ET. AL. Defendant(s)

Attorney: **JOHN RICKEL** P# **19432**

**MANVINDER TALWAR,
WILLIAM CASHEN,
LARISSA WALTMAN,
DEBORAH WEIHERMULLER,
GERALD ~~Z~~ZAMBOROWSKI**

58527,
39822,
64851,
28122

Attorney: **ZAMBOROWSKI** P# **28122**

At a session of the Court, held on December 20, 2012

ORDER OF JUDGMENT OF DISMISSAL
Title of Order

IT IS ORDERED:



1. THIS LAWSUIT IS DISMISSED WITH PREJUDICE AS TO ALL NAMED, AND UNNAMED DOE, PARTIES, AND ALL LIENS SHALL BE REMOVED, COST BORNE BY PLAINTIFF. ALL MEMBERS OF THE ASSOCIATION SHALL COMPLY WITH ALL LEGITIMATE DEED RESTRICTIONS AND COVENANTS IN THE FUTURE.
2. THE ANNUAL ELECTION OF THE ASSOCIATION BOARD OF DIRECTORS SHALL BE BY MEMBERSHIP VOTE, NOT BY DIRECTORSHIP VOTE. THAT MEETING SHALL BE HELD BY JANUARY 15, 2013, SUBJECT TO AT LEAST 10 DAYS PRIOR NOTICE TO THE MEMBERS.
3. CHECK SIGNERS SHALL BE ERIC HALL AND LAURIE RUIZ. THERE SHALL BE NO ENFORCEMENT ACTION, AND NO ACTION TAKEN OUTSIDE THE NORMAL COURSE OF PAYING BILLS BETWEEN NOW AND WHEN THE NEW BOARD TAKES OFFICE. THE INTERIM BOARD OF DIRECTORS SHALL CONSIST OF DOUG HARCOURT, CHARLOTTE YAKIMA, LAURIE RUIZ, ERIC HALL, KATHY NAHTYGAL, AND JILL SCHOENHERR.
4. COMERICA BANK SHALL UNFREEZE THE ASSOCIATION BANK ACCOUNT AND SERVICE THAT ACCOUNT IN THE NORMAL COURSE OF BUSINESS, OR COMERICA BANK SHALL PAY THE BALANCE IN THAT ACCOUNT TO THE ASSOCIATION WHICH SHALL OPEN A NEW OPERATING BANK ACCOUNT.
5. THE ASSOCIATION SHALL NOW PAY CURRENT OBLIGATIONS, INCLUDING WITHOUT LIMITATION CHECKS "BOUNCED" TO THE STATE OF MICHIGAN PAID BY INDIVIDUAL BOARD MEMBER(S) AND POSTAGE AND OTHER COSTS IN THE NORMAL COURSE OF ASSOCIATION BUSINESS, INCLUDING THE BOUNCED CHECK OF \$1,429.75 TO THE RICHEL LAW FIRM, PC. THE RICHEL LAW FIRM, PC SHALL NOW BE PAID BY THE ASSOCIATION \$2,570.25 TO THE CONCLUSION OF THIS LITIGATION AND TO CASHEN & STREHL, PC \$5,000.00. THE FINANCIAL RECORDS OF THE ASSOCIATION SHALL BE OPEN TO THE DIRECTORS INCLUDING WITHOUT LIMITATION ERIC HALL AND KATHY NAHTYGAL.
6. MEMBERS OF THE PINE POINTE SUBDIVISION ASSOCIATION BOARD OF DIRECTORS, PAST, PRESENT AND FUTURE, ARE INDEMNIFIED AS PROVIDED BY MICHIGAN STATUTE FOR NON-PROFIT CORPORATIONS. ANY REASONABLE COSTS OF LITIGATION AS APPROVED BY THE COURT / JUDGE IN ANY SUCH LITIGATION, SHALL BE PAID IN THE INTERIM BY THE ASSOCIATION WITHOUT WAITING FOR CONCLUSION OF THE CASE, INCLUDING WITHOUT LIMITATION ANY REASONABLE COSTS TO FORTHWITH SECURE SUCH INDEMNIFICATION.
7. THE QUORUM REQUIREMENT FOR THE ASSOCIATION AND ITS MEETINGS IS CHANGED AND SHALL BE 15%, AND A SIMPLE MAJORITY OF THAT QUORUM SHALL CARRY A VOTE.
8. THE ISSUE OF "SHED AMENDMENT" TO THE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS FOR PINE POINTE SUBDIVISION AS AMENDED, SIGNED BY A MAJORITY OF THE ASSOCIATION MEMBERS IN OR ABOUT MARCH AND APRIL, 2012, SHALL BE AND IS INTERPRETED TO AUTHORIZE SUBMISSION TO THE MACOMB COUNTY REGISTER OF DEEDS OF AN AMENDMENT BY THE ASSOCIATION AUTHORIZING SHEDS WITHIN THE ASSOCIATION.

**THIS DOES NOT RESOLVE
THE LAST PENDING CLAIM
AND CLOSES THE CASE.**

DEC 20 2012

[Handwritten Signature]
CIRCUIT JUDGE

Approved as to form and substance by:

[Handwritten Signature]

Signature of attorney for plaintiff

[Handwritten Name] #19432

[Handwritten Signature]

Signature of attorney for defendant

[Handwritten Name]

[Handwritten Name]
[Handwritten Name]
[Handwritten Name]
[Handwritten Name]
[Handwritten Name]